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FORT LAUDERDALE CITY COMMISSION
MAY 1, 2001**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
MAY 1, 2001**

Meeting was called to order at 7:52 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith (7:52)
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Gloria Katz (7:57)
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Abrams

Invocation was offered by the City Clerk.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting April 17, 2001

Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore, and Mayor Naugle.
NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Expressions of Sympathy

Mayor Naugle offered Expressions of Sympathy to the families of Mr. Bill Johns and Mr. Don Manley.

2. "Drinking Water Week"

Commissioner Moore read aloud and presented a Proclamation declaring May 6 to 12, 2001 as "Drinking Water Week" in the City of Fort Lauderdale. Ms. Rose Klarman accepted the Proclamation on behalf of the Public Services Department. She advised that in conjunction with Drinking Water Week, the Public Services Department held an annual t-shirt design contest to teach children about the importance of water conservation. Unfortunately, the winners of the contest had to leave earlier, but Ms. Klarman announced their names.

3. Outstanding City Employees of the Month

The City Manager introduced Department Directors to present the Outstanding City Employees of the Month:

- Linda Lamb and Conni Mentel, of the Parks & Recreation Department; and
- Driver-Engineer/Paramedic Milton Selimos, of the Fire-Rescue Department.

It was announced that Item No. O-4 would be deferred to May 15, 2001 at 6:00 P.M. so the applicant could post the proper public notices

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Worrell 1000 Sunday and Sailboat Race (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Worrell 1000, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Worrell 1000 Sunday Sailboat Race** to be held **Sunday, May 6, 2001 from 5:00 p.m. to 7:00 pm. and Monday, May 7, 2001 from 7:00 a.m. to 10:00 a.m.** on South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 01-635 from City Manager.

Event Agreement – Hospice Regatta 2001 Clambake (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Hospice Care of Southeast Florida, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Hospice Regatta 2001 Clambake** to be held **Saturday, May 19, 2001 from 6:00 p.m. to 11:00 p.m.** at the Esplanade; and further authorizing the closing of S.W. 4 Avenue from just south of the parking lot behind the old post office on S.W. 2 Street to the cul-de-sac at Riverwalk from 12:00 noon to 12:00 midnight on May 19, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-636 from City Manager.

**Cost of Living Adjustment (COLA) –
General Employees Retirement System (M-3)**

A motion authorizing a 3.5 percent COLA for eligible retirees of the General Employees Retirement System effective July 1, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-571 from City Manager.

**Disbursement of Funds –
Joint Investigation O. R. 00-6022 - \$21,265 U. S. Currency (M-4)**

A motion authorizing the equitable disbursement of \$21,265, with each of the 15 participating agencies to receive \$1,417.72.

Recommend: Motion to approve.

Exhibit: Memo No. 01-4-5 from City Attorney.

**Change Order No. 1 – Man-Con, Inc. – Project 10335 -
Annual Contract (FY 2001/2002) Sanitary and Storm Sewer Repairs (M-5)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Man-Con, Inc. in the amount of \$22,701.48 for additional work under the annual contract for sanitary and storm sewer repairs.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-491 from City Manager.

**Task Order – Keith and Schnars, P.A.
(Professional General/Civil Engineering Consultant Services) –
Project 10057 – S.W. 11 Avenue Swing Bridge Rehabilitation Study (M-6)**

A motion authorizing the proper City officials to execute a task order with Keith and Schnars, P.A. in the amount of \$44,090 for the preparation of a condition assessment report on the S.W. 11 Avenue Swing Bridge.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-589 from City Manager.

**Task Order – Keith and Schnars, P.A.
(Professional General/Civil Engineering Consultant Services) -
Project 10366 – River Oaks/Osceola Canal Area Drainage Analysis (M-7)**

A motion authorizing the proper City officials to execute a task order with Keith and Schnars, P.A. in the amount of \$106,540 for the preparation of a drainage study in the River Oaks/Osceola Canal area.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-590 from City Manager.

**16-Foot Road Easement (Parcel E) and
15-Foot Drainage Easement (Parcel B) – Broward County -
City-Owned Property Leased to Southern Facilities near Executive Airport (M-8)**

A motion approving a 16-foot road easement (Parcel E) and a 15-foot drainage easement (Parcel B) to Broward County to facilitate the development of City-owned property leased to Southern Facilities near Executive Airport.

Recommend: Motion to approve.

Exhibit: Memo No. 01-588 from City Manager.

**Easement – Florida Power and Light (FPL) Company -
Galt Ocean Mile – Construction of Beach Community Center (M-9)**

A motion approving an easement to FPL at Galt Ocean Mile (34-16, Block 6, Lots 8-9) for the facilitation of the Beach Community Center located on N.E. 33 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 01-587 from City Manager.

**Lease Purchase Financing – SunTrust Leasing Corporation -
Financing of Vehicles for the Personally Assigned Vehicle (PAVE) Program (M-10)**

A motion approving the utilization of the SunTrust Leasing Corporation's Master Lease Finance program in the amount of \$892,651 at an annual rate not to exceed 4.65 percent; further appropriating \$319,000 from the Police Technology account to the Fleet Fund as partial payment for the equipment used to outfit the vehicles for Police usage; and further transferring \$85,500 from the Police Department budget to the Debt Service Fund for the principal and interest payment due September 1, 2001. (Also see Item R-7 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-625 from City Manager.

PURCHASING AGENDA

Florida Sheriff's – One half ton pick up truck, 4x2 (Pur-1)

An agreement to purchase a one half-ton 4x2 pick up truck by the Administrative Services, Fleet Services Division.

Low Responsible Bidders: Duval Ford
Jacksonville, FL
Amount: \$ 16,876.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-612 from City Manager

The Purchasing Division recommends award from the Florida Sheriff's Association Contract with the transfer of funds from Sanitation (PBS090401-6416) to Fleet Fund (ADM030501-6416).

Proprietary Purchase – Software/hardware support FAMIS/BPREP (Pur-2)

An annual agreement to purchase IBM software/hardware support for FAMIS/BPREP by the Administrative Services, Information Technology Division.

Low Responsible Bidders: Mainline Information Systems, Inc.
Tallahassee, FL
Amount: \$ 18,712.60
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-579 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Florida State Contract – High-speed printers with annual maintenance (Pur-3)

An agreement to purchase two high-speed printers with annual maintenance by the Administrative Services, Information Technology Division.

Low Responsible Bidders: XEROX
Miami Lakes, FL
Amount: \$ 131,169.20
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-586 from City Manager

The Purchasing Division recommends award from the Florida State Contract.

Escambia County – Workers' compensation services contract (Pur-4)

Three-year contract for workers' compensation services is being presented for approval by the Finance, Risk Management Division.

Low Responsible Bidders: Protegrity Services
Louisville, KY
Amount: \$ 700,000.00 (estimated annual)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-613 from City Manager

The Purchasing Division recommends award from the Escambia County Contract.

Bid 512-8440 – Records storage and retrieval services (Pur-5)

Five-year contract for records storage and retrieval services is being presented for approval by the Administrative Services, Central Services Division.

Low Responsible Bidders: Sterling Records Management (WBE)
Boynton Beach, FL
Amount: \$ 35,825.00 (estimated annual)
Bids Solicited/Rec'd: 40/6 with 4 no bids
Exhibits: Memorandum No. 01-638 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Co-Op Contract – Irrigation supplies contract extension (Pur-6)

One-year contract extension for irrigation supplies is being presented for approval by the Parks and Recreation Department.

Low Responsible Bidders: Hughes Supply, Inc.
West Palm Beach, FL
Boynton Pump
Davie, FL
Professional Pump Corp.
Boca Raton, FL
Melrose Supply
Fort Lauderdale, FL
Amount: \$ 150,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-626 from City Manager

The Purchasing Division recommends approval for the contract extensions.

Bid 612-8458 – Contract for cast iron valve boxes & component parts..... (Pur-7)

One-year contract for cast iron valve boxes and component parts is being presented for approval by the Public Services Department.

Low Responsible Bidder: U.S. Filter Distribution
Oakland Park, FL
Amount: \$ 61,339.50 (estimated)
Bids Solicited/Rec'd: 23/5
Exhibits: Memorandum No. 01-559 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Bid 612-8436 – Replacement of private water services (Pur-8)

An agreement to purchase services for the replacement of private water services is being presented for approval by the Public Services Department.

Low Responsible Bidder: Doc's Plumbing
Fort Lauderdale, FL
Amount: \$ 62,820.00
Bids Solicited/Rec'd: 13/2 with 1 no bid
Exhibits: Memorandum No. 01-569 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Bid 692-8099 – Change order for water distribution & repair products (Pur-9)

A change order to increase encumbrance for water distribution and repair products is being presented for approval by the Public Services Department.

Low Responsible Bidder: A&B Pipe and Supply, Inc. (MBE)
Miami, FL
Amount: \$ 52,000.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-573 from City Manager

The Purchasing Division recommends approval for this change order.

Co-Op Contract – Cancellation and re-award for road rock (Pur-10)

Cancellation of contract for road rock with L.W. Rozzo, Inc. and re-award to Tenex Enterprises, Inc. is being presented for approval by the Public Services Department.

Low Responsible Bidders: Tenex Enterprises, Inc.
Coral Springs, FL
Amount: \$ per unit pricing
Bids Solicited/Rec'd: 159/10
Exhibits: Memorandum No. 01-585 from City Manager

The Purchasing Division has reviewed this item and supports the recommendation to cancel and re-award the Broward County Co-Op bid.

Bid 712-8397 – Emergency debris management services (Pur-11)

Pre approval is being requested for a one-year contract for emergency debris management services by the Public Services Department.

Low Responsible Bidders: Crowder/Gulf Joint Venture
Theodore, AL
Amount: \$ per unit pricing (as needed)
Bids Solicited/Rec'd: 108/5 with 3 no bids
Exhibits: Memorandum No. 01-487 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item Nos. M-10, Pur. 3 and Pur. 5 be deleted from the Consent Agenda and discussed separately, and that the remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Florida State Contract – High-Speed Printers with Annual Maintenance (Pur. 3)

Commissioner Moore did not care to support this item. He preferred the City's own bid process rather than using the State contract. Mr. Kirk Buffington, Purchasing Manager, stated that going out for the City's own bids was always an option, but he had found that the State contract continued to offer the best discounts in this respect.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 3 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: Commissioner Moore.

Bid 512-8440 – Records Storage and Retrieval Services (Pur. 5)

Commissioner Katz said she had received a letter outlining some concerns, and she wondered if it should be rebid. She pointed out that the recommended vendor was located in Boynton Beach, and she thought there might be a local company that could provide the services. The City Manager referred to the issue of the recommended vendor being located in Boynton Beach. He noted that the specifications had not required that bidders be located in Fort Lauderdale. Therefore, allowing a local preference would not be consistent with the specifications. Mr. Kirk Buffington, Purchasing Manager, noted that the letter from *Mr. Sal DiBattista*, of Secure Data Storage, had not been received until 4:15 P.M. this afternoon by fax. He pointed out that this item had originally been scheduled for consideration on April 17, 2001, and it had been deferred at the City Manager's request.

Mr. Buffington advised that staff had met with Mr. DiBattista since April 17, 2001, but he could respond to the points raised in the letter received today. He could not address how agencies functioned in Broward County, but of the 6 responses received, no other had indicated any confusion with the specifications.

At 8:12 P.M., Commissioner Smith left the meeting.

Mr. Buffington reported that the specifications had indicated the numbers that would be used for extension of the most critical and most often used items. He stated that there had been several items not used for the tabulation, but they were option items. Mr. Buffington stated that estimated amounts were provided for the primary items related to the contract, but unit prices were extended by the estimated quantities uniformly for all bidders. Nevertheless, Mr. DiBattista had expressed confusion about being allowed to bid one price with a different price for additional such items, but he had not contacted the City to inquire. Mr. Buffington stated that even had Mr. DiBattista bid that particular item in that fashion, his total for the first year would still have been higher than that submitted by the recommended bidder.

Mr. Buffington pointed out that a date certain was provided in all specifications by which potential bidders had to submit questions of a material nature. In this case, the date certain had been January 23, 2001 and, as of that date, the City had received no question in writing by any bidder. Therefore, the suggestion that the City had provided information to other bidders that had not been supplied to all bidders was erroneous.

Mr. Sydney Calloway, on behalf of Secure Data Storage, introduced Mr. DiBattista. Mr. Calloway stated that the City had received telephone calls from at least one bidder requesting information. At that point, he felt the process would have been fairer to reduce that question to writing and notify the other bidders about the subject matter. Further, Mr. Buffington had e-mailed Mr. DiBattista to clarify one of the items relating to this particular bid, but that particular item had apparently not been utilized in the bid tabulation. Mr. Calloway did not feel the process had necessarily been corrupted, but he did not feel it had been conducive to everyone being given a fair chance at the contract. He also noted that the difference between the bid of the low bidder and the bid of Secure Data Storage was about \$3,600, so the prices were close, and he suggested this item be rebid.

Mr. DiBattista did not feel this bid had been handled properly. He stated that he did a lot of business with governmental agencies, and there was only 1 item in this bid that was extended. He felt staff had selected different items, and he thought his bid would have been the lowest if all the items had been extended. Mr. Calloway felt Mr. DiBattista had been penalized because he had responded to all the items.

Mr. Jerry Knight, representing Sterling Records Management, stated that the bid submitted by his client was the lowest responsive bid. He introduced the owner of the company and its Vice-President, and he advised that the owner lived in Fort Lauderdale although the facility was not located within the City. Mr. Knight pointed out that staff had reviewed the bids twice and had recommended the contract be awarded to Sterling Records Management. He noted that although this facility was located in Boynton Beach, it was a regional facility that had been custom designed and constructed for this particular purpose alone. Mr. Knight also pointed out that none of the other bidders had raised any questions and seemed to understand the terms and conditions of the specifications.

Mr. Knight pointed out that the specifications had contained nothing related to any local preference, and Sterling Records Management served agencies in both Broward and Palm Beach Counties.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve Consent Agenda Item No. Pur. 5 as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Smith, and Mayor Naugle. NAYS: Commissioners Katz and Moore.

Lease Purchase Financing – SunTrust Leasing Corporation – Financing of Vehicles for the Personally Assigned Vehicle (PAVE) Program (M-10)

Commissioner Smith had some concerns about the price of the laptop computers. He had spoken with Assistant Chief Hurley today, and he believed there were some other companies that had rugged laptops for lesser prices. The Police Chief wished to clarify that this item involved the financing process for the vehicles. He believed the purchase of the laptops had been approved at the last meeting.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-10 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Smith was concerned about the price of the laptops, which was about \$6,000 each. The Police Chief believed the price had been closer to \$4,500. Commissioner Smith noted that the cost of a Motorola laptop was about \$2,000, and then there were mounting costs, etc. It seemed to him that there were other options.

Mr. Kirk Buffington, Purchasing Manager, advised that the actual cost of the laptops themselves was \$3,363. He explained that what increased the cost were several proprietary software items. Commissioner Smith noted that there were also increased costs associated with additional memory, and he was not sure additional memory capacity was necessary. The Police Chief noted that another \$163 per unit was proposed to add 64MB of RAM. He stated that he had found that the additional RAM was necessary due to the software being utilized. Further, the vehicle adapter was \$158 each, and port replicators were \$368 each. He noted that the CD-ROM drives were \$327 per unit, and the Police Department had the floor plans on CD of all the schools and public buildings.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-10 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Amendment to State Road 84 Interdistrict Corridor Requirements (M-11)

A motion was presented authorizing elimination or revision of the Interdistrict Corridor requirements for properties fronting on State Road 84 from Federal Highway to Interstate 95, which may include requirements for setbacks, yards, landscaping, sidewalks and architectural requirements pursuant to zoning in progress applicable to properties within this corridor that are zoned B-1, B-2, B-3, CF (Community Facility) or CR (Commercial Recreation). Notice of change of zoning in progress was published April 21, 2001.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the amendment to the State Road 84 Interdistrict Corridor Requirements. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Settlement of General Liability File GL 99-396A (Christian Sullivan) (M-12)

A motion authorizing the settlement of General Liability File GL 99-396A (Christian Sullivan) in the amount of \$25,000.

Mr. Scott Denham, Risk Manager, explained that this case had involved a child injured at the Swimming Hall of Fame. It had been an unfortunate accident in which the tip of the child's finger had been severed by a window that had come down unexpectedly. Mayor Naugle understood the finger had been successfully reattached. Mr. Denham agreed that was correct.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the settlement of GL 99-396A (Christian Sullivan) in the amount of \$25,000. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Settlement of General Liability File GL 97-071 (Josephine Rhodes) (M-13)

A motion was presented authorizing the settlement of General Liability File GL 97-071 (Josephine Rhodes) in the amount of \$25,000. The City Manager announced that this item had been **withdrawn** from the agenda.

**City Commission Request for Review – Parking Reduction/
Site Plan/RAC-EMU – Luke Meyer, et al – The Waverly (PZ Case No. 39-R-01) (M-14)**

A motion was presented to set a public hearing date of May 15, 2001 to review the application for parking reduction for The Waverly development. This parking reduction request was approved by the Planning and Zoning Board April 18, 2001 by a vote of 4-3. (Requested by Vice Mayor Katz)

Applicant: Luke Meyer, et al
Request: Parking reduction/site plan/RAC-EMU (Downtown Regional Activity Center – East Mixed Use)
Location: Northeast corner of North Federal Highway and East Broward Boulevard

Motion made by Commissioner Katz and seconded by Commissioner Hutchinson to schedule a public hearing for May 15, 2001 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Certificate of Public Convenience and Necessity – USA Transportation, Inc. (PH-1)

A public hearing was scheduled to consider an application from USA Transportation, Inc. to operate three rental vehicles with chauffeurs over irregular routes within the City, pursuant to Sections 27-191 and 27-192 of the Code of Ordinances. Notice of the public hearing was published on April 19 and 26, 2001.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-75

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO USA TRANSPORTATION, INC. TO OPERATE RENTAL VEHICLES WITH CHAUFFEURS PURSUANT TO SECTIONS 27-191 AND 27-192 OF THE CODE OF ORDINANCES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Transmission of First Round

2001 Comprehensive Plan Text Amendments – State Department of Community Affairs (PZ Case Nos. 8-T-00, 10-T-00, 11-T-00 and 2-T-01) (PH-2)

A public hearing was scheduled to consider the transmittal of the first round of text amendments of the 2001 Comprehensive Plan to the State Department of Community Affairs. Notice of public hearing was published April 21, 2001. The City Clerk announced that a page had been left out of the exhibit. It was distributed and displayed.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Hutchinson referred to the intensity for non-residential use. Ms. Sheryl Stolzenberg, Office of Community and Comprehensive Planning, stated that one of the amendments under consideration this evening involved a recommendation of intensity standards for non-residential uses as required by State law. After discussion with the District Commissioner, staff felt the more intense floor area ratio (FAR) probably would not support the Port that much. Therefore, the recommendation had been modified to reflect an FAR of 3 as the Community Planning Area (CAP) average.

Commissioner Hutchinson explained her concern revolved around the revitalization of State Road 84. Everyone wanted to support the Port but, at the same time, she did not want any more intense uses along State Road 84. Mayor Naugle inquired as to the options. Ms. Stolzenberg stated that any modifications could be made to the material. She explained that this resolution was only to transmit the amendments to the Department of Community Affairs. After review, the Commission could also amend further before adoption. Mayor Naugle asked if the FAR could be reduced at this time. Ms. Stolzenberg advised that staff's recommendation was to lower the FAR to 3 from 4.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-76

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO TRANSMIT TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED AMENDMENTS TO THE FUTURE LAND USE AND RELATED ELEMENTS OF THE CITY OF FORT LAUDERDALE COMPREHENSIVE PLAN.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Citizen Presentation (OB)

Mayor Naugle announced that this was the time the Commission had decided to set aside for citizen presentations, and *Mr. Mahendra P. Gupta* had signed up to speak. He was no longer present.

Commissioner Hutchinson understood the Council of Fort Lauderdale Civic Associations desired an opportunity to address the Commission, and this would be a good venue. Commissioner Moore objected. He pointed out that any entity could have a subject placed on the agenda. Commissioner Smith favored continuing this venue and felt the Commission should hear as much citizen input as possible. Commissioner Hutchinson agreed. Commissioner Moore preferred that topics be agendaed for consideration. It was the consensus of the Commission to continue this forum through July, and then the concept could be considered again.

**Amend ULDR (Chapter 47) –
Central Beach and Barrier Island Zoning District -
Include Garages as Part of Floor Area Ratio (FAR) (PZ Case No. 18-R-99)(O-1)**

An ordinance was presented to amend the Unified Land Development Regulations (ULDR) to require garages to be included as part of FAR calculations for nonresidential uses east of the Intracoastal Waterway. Ordinance No. C-01-15 was published on March 10, 2001. On March 20, 2001, first reading was deferred to April 17, 2001 by a vote of 5 to 0. On April 17, 2001, first reading was approved by a vote of 5 to 0.

Applicant: City of Fort Lauderdale
Request: Amend ULDR to require garages to be included as part of FAR calculations for nonresidential uses east of the Intracoastal Waterway.

Commissioner Smith said he had received a letter from Mr. Grimme, and the Commission had decided it wanted to include garages in FAR calculations and that the FARs for each district were appropriate. He thought it would probably be prudent to increase the FARs in some districts since garages would be counted, although he was not certain how much. Commissioner Smith understood Mr. Grimme to have indicated that he would lose 30% to 40% of his development potential, and he felt that was too aggressive. He wondered if staff could tell him the FAR in the ABA.

Mr. Chris Wren, Planning & Zoning Manager, advised that the FAR in the ABA District was 4. He also wanted to clarify that garage areas below grade would not be counted in the FAR calculation, and the definition that would be used for measurement purposes was ground level or below the sidewalk. He stated that FEMA regulations could have an effect. Commissioner Smith asked what an FAR of 4 became, from a practical standpoint, when garages were included in the calculation. He estimated a 2.5 FAR. Mr. Wren said staff had been using figures of from 20% to 40%, depending upon the amount of development. He explained that different developments had different bulk for garages v the rest of the building.

Commissioner Smith asked what FAR would result in reducing the bulk of a building in the ABA by 20%. Mr. Wren stated that if a garage amounted to 20% of a development, the inclusion of the garage in the FAR would accomplish that goal. Mayor Naugle noted that developers would have the option of putting some of the parking below grade or using a mechanical parking system to shrink the bulk of the pedestal. Mr. Wren said he would have to review Mr. Grimme's plans, but he believed this action reduced bulk by about 20%. He thought that if the plans substantiated that the size of his building would be reduced by 40%, staff could bring the issue back to the Commission for another amendment. However, he could not really guess how this ordinance affected one particular building.

Mr. Michael Grimme stated that he owned 3 properties in the ABA zoning district. He had spent the last several years buying and renovating existing hotels in the beach area under the name Waterfront Inns. He had improved the properties visually, and he had pushed out the previous occupants who had been pimps, prostitutes, and drug dealers. Mr. Grimme said he had tried to do his part to revitalize the area, and the acquisition prices had been above what the properties could support from a cash flow standpoint, but had potential based on the many revitalization steps taken by the City over the past few years.

Mr. Grimme understood the recent development of Jackson Towers and The Palms had caused an outcry from the citizens of the beach area because they did not want projects of overwhelming size on the barrier island. He was sympathetic, but he did not believe those projects could have been approved under current zoning regulations at the beach before including above ground garages in the FAR calculation. Mr. Grimme stated that this ordinance would reduce the development potential of his property by 30% to 40%. He understood that could vary depending on the development, and more detailed analysis was necessary as mentioned by Mr. Wren.

Mr. Grimme said he had planned to redevelop his properties as the existing structures "ran out of steam." However, with recent changes, he was forced to drop his plan and focus on simply protecting the value of his properties. He stated that his small buildings would soon be "sandwiched" between two large projects, and this amendment would severely hinder his efforts to develop a viable project on his property. In addition, Mr. Grimme believed developers would also be discouraged by this potential down zoning and quickly halt the recent surge in revitalization.

Mr. Grimme felt staff should explain what Jackson Towers and The Palms would have looked like under current zoning regulations. He also thought staff should recommend an increase in the FAR along with the incorporation of the garages in order to reduce the devaluation of properties and allow for economic development of older properties in the future. Mr. Grimme added that many people had not been present at the last meeting when this ordinance had been adopted on first reading because they had received letters indicating it would not be on the agenda. He understood the need for a modest decrease in density, but he felt decreases of 20%, 30% or 40% was unbearable.

Ms. Linda Gill said she had no plans to build anything but, if a major hurricane came through the area, and she had to rebuild her two hotels, she understood she would face a 30% to 40% reduction in size. She had spoken to an architect about the Fortune House, and she understood that project would be reduced from 280 rooms to 168 rooms through inclusion of the parking garage in the FAR, so it would not be economically feasible. Ms. Gill said she had spoken to the Property Appraiser, and he had indicated that reducing the property values would also reduce the real estate taxes collected.

Mayor Naugle asked if the FAR of the Gill Hotels had been computed. Ms. Gill replied that had not been done, and she advised that she had also been informed that this ordinance would not be presented at the last meeting. She felt someone should give this a closer look.

Commissioner Katz asked if a building owner could rebuild their structures if there was a hurricane. Mayor Naugle replied that if over half a building was destroyed, the owner would have to conform with current Code regulations when the structure was rebuilt. He noted that this Commission or some future Commission could always make adjustments depending upon the circumstances.

Commissioner Katz understood this action could not be taken in a vacuum, and other issues had to be considered as well such as setbacks and view corridors. She did not want to encourage construction of "short, squatty" buildings, which looked worse than tall, thin buildings from a pedestrian's point of view. She felt these things had to be addressed in a package.

Commissioner Smith pointed out that the City had been attempting to "tweak" the rules at the beach since 1998. He was concerned that if things were not "reined in" to some modest degree, the beach would become overdeveloped. Commissioner Smith felt tightening the rules a little was the only responsible thing to do, and he did not think the City could afford to wait any longer. Nevertheless, he did not want to take away 30% to 40% of anyone's development rights because that would not be fair, but he felt a 20% reduction would be responsible. Commissioner Smith hoped this ordinance would do that, and he wanted to know if that was the case. If staff could not say, he thought a consultant should be retained.

Mr. Wren said he could not predict the effect of this ordinance on all the parcels in the beach area. Nevertheless, he believed it would result in a reduction that would range from 20% to 35%. He stated that if the Commission only wanted to reduce it by 15% to 20%, they might consider adding an FAR of .8 or 1 to the existing FARs. He pointed out that this, too, would vary depending on the size of a site and the size of the development.

Commissioner Smith supported the idea of adding an FAR of .8 to the existing FARs in order to achieve a modest decrease in density. The City Attorney advised that there had been no public notice to amend the FAR for tonight. He stated that it could be done, but not as an amendment to this particular ordinance. In order to be prudent, Commissioner Smith suggested that this ordinance be deferred one last time. He thought the development community could work together to find out what would accomplish a modest decrease in density.

Commissioner Moore did not object to deferring the ordinance, but he thought the Commission was taking the wrong approach. He pointed out that there was more than one way to accomplish the intent, and he did not think the FAR was the proper method of control. Commissioner Moore thought the most prudent thing to do would be to allow a certain level of flexibility based upon the design of a development. He did not want the City to dictate the design of buildings because it discouraged developmental styles and architectural features that would help build the City's tax base. Commissioner Moore hoped the Commission would be willing to listen to the development community if it could come up with any other means of reaching the goal.

The City Manager hoped staff could come up with the proper ordinance title in two weeks. Mr. Wren stated that if another Code amendment was proposed, the State required that it go through the Planning & Zoning Board as the local planning agency.

Mayor Naugle urged the Commission to adopt this ordinance on second reading. He was willing to listen to any concerns, and the ordinance could always be adjusted. However, he did not want to send any more mixed signals. Further, the sooner this was in place, the more likely it would be that other projects like The Palms or Jackson Towers could be prevented.

Commissioner Smith introduced the following ordinance, as amended, on second reading:

ORDINANCE NO. C-01-15

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-2.2, MEASUREMENTS, TO REQUIRE GARAGES TO BE INCLUDED AS PART OF FLOOR AREA RATIO CALCULATIONS FOR NONRESIDENTIAL USES EAST OF THE INTRACOASTAL WATERWAY.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, and Smith, and Mayor Naugle. NAYS: Commissioner Moore.

**Amend Section 2-256 –
Nuisance Abatement Board – Notice Requirements and
Legislative Amendments to Florida Statute Section 893.138 (O-2)**

An ordinance was presented amending Section 2-256 of the Code of Ordinances pertaining to the abatement of public nuisances within the City to provide for notice requirements, clarification, and the incorporation of legislative amendments to Section 893.138, Florida Statutes. Ordinance No. C-01-16 was published on April 7, 2001, and passed on first reading April 17, 2001 by a vote of 5 to 0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-16

AN ORDINANCE AMENDING SECTION 2-256 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PERTAINING TO THE ABATEMENT OF PUBLIC NUISANCES WITHIN THE CITY TO PROVIDE FOR NOTICE REQUIREMENTS, CLARIFICATION, AND THE INCORPORATION OF LEGISLATIVE AMENDMENTS TO SECTION 893.138, FLORIDA STATUTES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Amend ULDR Sections 47-13 and 47-28 –
Downtown Regional Activity Center (RAC) Review Process
and Special Regulations – Provide for Additional Dwelling Units
and a Process for Approving Dwelling Units in the RAC (PZ Case No. 3-T-01) (O-3)**

An ordinance was presented amending Section 47-28 of the Unified Land Development Regulations (ULDR) of the City, amending Section 47-28.1, "Applicability; Conditions of Section 47-28, Flexibility Rules," and Section 47-13.20, "Downtown RAC Review Process and Special Regulations," to provide for additional dwelling units in the Downtown RAC. Ordinance No. C-01-17 was published on April 7, 2001, and passed on first reading April 17, 2001 by a vote of 5 to 0.

Applicant: City of Fort Lauderdale, Office of Community and Comprehensive Planning
Request: Amend ULDR Sections 47-13 and 47-28 – Downtown RAC Dwelling Units

Mayor Naugle wondered if there was any way to capture the cost of the necessary study. The City Manager believed so. Mr. Chris Wren, Planning & Zoning Manager, stated that staff was working on a mechanism to accomplish that goal.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-17

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-28.1, APPLICABILITY; CONDITIONS, OF SECTION 47-28, FLEXIBILITY RULES, AND SECTION 47-13.20, DOWNTOWN RAC REVIEW PROCESS AND SPECIAL REGULATIONS, TO PROVIDE FOR ADDITIONAL DWELLING UNITS AND A PROCESS FOR APPROVING DWELLING UNITS IN THE DOWNTOWN REGIONAL ACTIVITY CENTER.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Vacate a Portion of Flagler Avenue –
E. & B. Morley and T. & M. Tahmassebi (PZ Case No. 25-P-00)..... (O-4)**

At the Planning and Zoning Board regular meeting on March 21, 2001, it was recommended by a vote of 8 to 0 that the following application be approved. Notice of the proposed ordinance was published on April 21, 2001.

Applicant: E. & B. Morley and T. & M. Tahmassebi
Request: Vacate a portion of Flagler Avenue abutting Lots 1 through 9, Block 59, Croissant Park, Plat Book 4, Page 28 and the Florida East Coast (FEC) Railroad.
Location: Flagler Avenue, east of the FEC Railroad, between S.W. 18 Court and S.W. 20 Street

Motion made by Commissioner Moore and seconded by Commissioner Smith to defer this ordinance to 6:00 P.M. on May 15, 2001. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Citizen Presentation (OB)

Mr. Mahendra Gupta, thanked the Commission for this opportunity to address them on a variety of issues. He felt the City should concentrate on cleaning up Sistrunk Boulevard rather than worrying about A-1-A, and he was concerned that convenience stores were becoming hang-outs for kids where they could buy cigarettes. Mr. Gupta was also concerned that the City was spending twice as much for laptop computers than necessary, and he complained that he had not been contacted about a monetary pledge he had made at the last Commission meeting.

Mr. Gupta understood the Commission had decided to extend the trial period for taking public comment in this fashion. Mayor Naugle agreed the Commission had decided to continue this practice at least through the August recess. The City Clerk advised Mr. Gupta that the next opportunity would occur on June 5, 2001.

Mr. Gupta believed the City's forefathers had thought politicians would have nothing to lose, and he thought the country needed honest people to execute its laws, but there were too many attorneys involved.

The City Manager noted that Mr. Gupta had submitted a check to the City along with a suggestion that the Police Chief be encouraged to retire. He wished to publicly return the check to Mr. Gupta. Mr. Gupta wanted to donate the money to the community, and Mayor Naugle advised that there were many worthy organizations in the community that would appreciate support.

Plat Approval – Fort Lauderdale Housing Authority (PZ Case No. 35-P-00) (R-1)

At the Planning and Zoning regular meeting on March 21, 2001, it was recommended by a vote of 7 to 1 that the following application be approved.

Applicant:	Fort Lauderdale Housing Authority
Request:	Plat approval
Location:	Northwest intersection of S.W. 5 Place and S.W. 20 Avenue, along Interstate 95

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 01-77

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "FORT LAUDERDALE HOUSING AUTHORITY."

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Plat Approval – Habitat for Humanity of
Broward Plat No. 1 (PZ Case No. 29-P-00) (R-2)**

At the Planning and Zoning regular meeting on March 21, 2001, it was recommended by a vote of 8-0 that the following application be approved.

Applicant: Habitat for Humanity
Request: Plat approval
Location: North side of S.W. 9 Street, between S.W. 15 and 16 Avenues

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-78

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "HABITAT FOR
HUMANITY OF BROWARD PLAT NO. 1".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Parking Reduction – William H. Goodwin (PZ Case No. 178-R-00)(R-3)

At the April 17, 2001 meeting, the City Commission adopted a resolution by a vote of 5 to 0 to schedule a public hearing to review the parking reduction request by William H. Goodwin.

Applicant: William H. Goodwin
Request: Parking Reduction
Location: 530 North Federal Highway

Mayor Naugle called for those who wished to be heard. Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following appeared:

Commissioner Smith was concerned that the City might elect to dispose of the parking lot in which 7 parking spaces would be provided for the subject building. He wanted the applicant to agree that if the public parking was eliminated, the 7 spaces would be provided to meet parking requirements.

Mr. Walter Morgan, Attorney representing the applicant, pointed out that the Code addressed failures to live up to any conditions imposed on a parking reduction. He stated that if the public parking spaces were eliminated, the applicant would have to seek an amended parking reduction order. Commissioner Smith wondered what would happen if an amended order was denied. Mr. Morgan believed there would then be a violation of the Code, and the Certificate of Occupancy would be forfeited.

The City Attorney noted that the resolution approving the request specifically recited this particular condition. The applicant would have to provide parking elsewhere in the eventuality that the City discontinued use of the adjacent property for parking. Mr. Morgan advised that the applicant also publicly agreed to that condition as requested by Commissioner Smith.

Commissioner Katz said she would rather see the required parking replaced somewhere else than approve a parking reduction in this case. Mr. Morgan advised that the City's lot was the only potential place for replacement of the parking within the 700' distance limitation. Commissioner Katz inquired about follow-up to ensure compliance with the condition. Mayor Naugle pointed out that the City would know if it disposed of its property. Commissioner Smith was concerned that future Commissions might not be aware of the condition.

Commissioner Moore did not understand why anyone wanted to make it difficult for someone to do something with this ugly property. He thought the City should just lease the spaces to the applicant or sell them outright. Commissioner Smith found this business somewhat marginal, and there were high hopes for this corridor in the future. Nevertheless, he felt this arrangement was satisfactory on a temporary basis, but he did not want to sell the spaces.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-79

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PARKING REDUCTION ON PROPERTY LOCATED AT 530 NORTH FEDERAL HIGHWAY IN FORT LAUDERDALE, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore, and Mayor Naugle. NAYS: Commissioner Katz.

Demolition of Buildings (R-4)

At the January 20, 2000, February 15, 2001 and/or March 15, 2001 meetings of the Unsafe Structures and Housing Appeals Board, it was recommended that the City demolish the buildings at the following addresses and assess the properties with costs.

- (1) 619 N.W. 3 Avenue
- (2) 738 N.W. 13 Terrace
- (3) 1709 Davie Boulevard

Mr. Doug Fleichman referred to the property at 738 Northwest 13th Terrace. He requested that the demolition of the buildings be put off for 45 days so he could work through some title issues and present plans for necessary improvements to the City. He saw no reason to spend money to demolish the 3 remaining buildings and lower the tax base.

Mayor Naugle referred to the photographs. He asked if there were skylights or if the ceiling was caving in. Mr. Fleichman stated that the ceiling was caving in, but an engineer and an architect had examined the buildings and felt they could be renovated. He advised that he was willing to invest the necessary funds to do so.

Commissioner Moore asked Mr. Fleichman if he had already purchased the property. Mr. Fleichman replied that he had reached an agreement with the owner, but he had not yet closed. Commissioner Moore preferred to move forward with the demolition at this time. Commissioner Smith concurred.

Ms. Maria Vaca referred to the property at 1709 Davie Boulevard. She explained that she had obtained the required permits. She stated that she had submitted a permit application and plans in 1999, but the City had lost the plans, so she had to resubmit the paperwork again. Finally, the permits had been issued in March, 2000. It was her understanding that permits were good for 180 days, but she had received a demolition order just 10 days later. Ms. Vaca said she had tried to get something in writing indicating that permits had been issued so she would not continue to be harassed. She had not been able to get that, but she had invested a lot of money already. Ms. Vaca also did not believe the property fit the criteria for demolition, but a former tenant had trashed the property and then complained to the City. He stated that an inspector had come to the property every month without her knowledge, but a neighbor had kept her informed.

Mayor Naugle asked who the inspector was, and Ms. Vaca replied it had been Inspector Kenneth Reardon. She had contacted him, and he had made her a very low offer on the property. When she refused the offer, he had indicated it would be demolished no matter what work was done. Ms. Vaca advised that all of the electrical work had been done and approved in October, 2000, and she wanted an assurance that the City would not demolish the property while she had a contractor working on the required improvements. She stated that she had not been getting any cooperation from City staff, not only Mr. Reardon. Ms. Vaca thought it was important that City staff work with the community.

Commissioner Moore supported deferring the demolition of 1709 Davie Boulevard for discussion on May 15, 2001 after the City Manager had investigated the allegations Ms. Vaca had made.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-80

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Lot Clearing and Cleaning Charges (R-5)

A resolution was presented authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Smith noted that one property had been listed twice at 1040 Northwest 20th Street. It appeared the lot had been cleared at a cost of about \$2,200. He requested additional information. Ms. Lori Milano, Community Inspections Bureau, explained that the lot had been cleared on several occasions. Now that the cost had exceeded the \$1,500 threshold, it would be liened and foreclosed. She explained that there had been difficulties obtaining notice, and this was an old case. Commissioner Smith pointed out that this had been a problem for the neighborhood for a very long time, and he hoped staff would bring problems addressing these things to the Commission's attention.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-81

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Building Board-Up and Securing Charges(R-6)

A resolution was presented authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings located thereon.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-82

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Master Lease Agreement – SunTrust Leasing Corporation -
Vehicles for the Personally Assigned Vehicle (PAVE) Program**

(R-7)

A resolution was presented authorizing the proper City officials to execute a master lease agreement with SunTrust Leasing Corporation for the purpose of financing up to \$10 million in equipment acquisitions during a three-year period. (Also see Item M-10 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT AND RELATED INSTRUMENTS WITH SUNTRUST LEASING CORPORATION.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Appointment of Special Counsel – Bruce W. Jolly -
Purdy Jolly & Giuffreda – Nuisance Abatement Board(R-8)**

A resolution was presented authorizing the appointment of Bruce W. Jolly of Purdy Jolly & Giuffreda to serve as special counsel for the Nuisance Abatement Board. Commissioner Moore asked the City Attorney if he had been able to address the question he had raised about seeking other counsel. The City Attorney had thought that as a result of the meeting with Detective Titterington, everyone had agreed on this course of action, at least for now. He noted that this particular firm also represented the Code Enforcement Board and had also been involved in making some of the case law that existed with respect to public nuisances. The City Attorney felt this was the best qualified firm to perform this specialized task.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-84

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BRUCE JOLLY OF THE LAW FIRM OF PURDY, JOLLY AND GUIFFREDA, P.A., TO ACT AS SPECIAL COUNSEL FOR THE CITY OF FORT LAUDERDALE NUISANCE ABATEMENT BOARD AND SETTING THE COMPENSATION FOR SUCH SERVICES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Charter Revision Board

Ed Curtis
Debbie Orshefsky
Mike Lockwood
Roderick Kemp
James D. Camp Jr.

Community Appearance Board

Barbara Ericksen

Marine Advisory Board

Tom Gleason

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-85

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

At 9:35 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

Lucy Masliah
City Clerk